

REMARKS

Upon entry of this amendment, claims 1, 9, 11, 59, 62, and 68-72 will pending in the application. Claims 7, 8, and 11-58 are canceled without prejudice or disclaimer. Claims 1, 9, and 68 have been amended. Claims 69-72 have been added. Support for the amendments is found throughout the specification as originally filed, and the amendments thus do not introduce new matter into the application.

Applicants acknowledge with appreciation the time and courtesies extended by the Examiner and her Supervisor toward Applicants' representative during the personal interview of April 19, 2007.

As was discussed at that interview, Applicants respectfully submit that the pending claims, as amended, are fully supported by the priority applications and that the claims are entitled to the benefit of the filing date of U.S. application number 08/870,608, filed June 6, 1997 ("the 608 application"). In particular, disclosure presented in Example 27 (page 92, line 10 to page 93, line 27 of the specification of the 608 application) describes chemically synthesized oligomer duplexes comprised of a "sense" oligonucleotide strand and an "antisense" oligonucleotide strand that are not covalently linked to each other. Applicants maintain that the teachings of the specification relating to oligomers is not limited to single-stranded oligomers, but describes any of the oligomers provided in the specification, including those that are part of a duplex, such as those described in Example 27.

Rejection Under 35 U.S.C. § 103

Claims 1, 7-9, 59, 62, and 68 have been rejected under 35 U.S.C. § 103(a) as allegedly obvious over published U.S. patent application number U.S. 2004/0029275 ("the Brown application") in view of U.S. patent number. 5,639,873 ("the Barascut patent"). Applicants respectfully request reconsideration and withdrawal of the rejection because the Brown application is not available as prior art against the present application due to the fact that the present application is entitled to the benefit of the filing date of U.S. patent application number 08/870,608, filed June 6, 1997 ("the 608 application").

As discussed above in connection with the claim of priority made for the present application, support for each element of the pending claims exists in the specification of the

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608 application as originally filed. The present application is thus entitled to the benefit of the filing date of the 608 application, which is June 6, 1997. Since this date is before the priority date of the Brown application, the Brown application is not available as prior art against the present application. The rejection for alleged obviousness based on this reference is thus improper, and Applicants accordingly, respectfully request withdrawal thereof.

Applicants respectfully submit that the present application is in condition for allowance. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided. Favorable consideration and an early notice of allowance are respectfully requested.

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